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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,620	11/05/2003	Junichi Noro	02410345AA	4870
30743	7590	01/25/2005	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			VY, HUNG T	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	10/700,620	NORO ET AL.	
	Examiner	Art Unit	
	Hung T Vy	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Foreign Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 9/04/2003 and on 11/05/2002.

Specification

2. The specification has been checked to the extent necessary to determine the presence of possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application

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filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

Claim 1 is rejected under 35 U. S. C. § 102 (e) as being anticipated by Asano et al., U.S. patent No. 6,636,181.

4. Claim 1, Asano et al. disclose an antenna apparatus, comprising: an antenna element 109, having directivity in a vertex direction; an antenna case 104, containing the antenna element 109; an antenna base 101, coupled to the antenna onto an installation face; and an angle regulator 103, adjusting a relative antenna case 104 and the antenna base 101 case, and attached angle 112 between the antenna case 104 and the antenna base 101(See fig. 2).

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2-3 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Asano et al., U.S. patent No. 6,636,181 in view of Nishikawa et al., U.S. Patent No. 6,034,643.

Claims 2-3, Asano et al. disclose all limitation of invention except for a driving unit, driving the angle regulator so as to mechanically adjust the relative angle between the antenna case and the antenna base, detector. However, Nishikawa et al. disclose a driving unit, driving the angle regulator so as to mechanically adjust the relative angle between the antenna case 22 and the antenna base12 (See column 2, line 59-64), detector 42, detecting a condition of radio-wave received by the antenna element, a controller, controlling the driving unit base 12 on the condition of the radio-wave detected by the detector (See column 13, line 1—25). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Asano et al. to have a driving unit as taught by Nishikawa et al. The motivation for doing so would have been to provide the driving unit in order to get better the signal.

7. Claim 4 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Asano et al., U.S. patent No. 6,636,181 in view of Imura et al., U.S. Patent No. 5,909,653.

Claim 4, Asana et al. disclose all limitations of invention except for a plunger. However, Imura et al. disclose plunger (see fig. 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Asano et al. to have plunger as taught by Imura et al. The motivation for doing so would have been to provide the plunger in order to get stable the antenna.

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8. Claims 5-11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Asano et al., U.S. patent No. 6,636,181 in view of Ogino et al., U.S. Patent No. 5,805,113.

Claims 5-11, Asana et al. disclose all limitations of invention except for a hook hole, a drawing-out groove. However, Ogino et al. disclose hook hole and a drawing-out groove (See fig 6 or column 3, line 29-35). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Asano et al. to have mount bracket and a drawing-out groove for cable as taught by Ogino et al. The motivation for doing so would have been to provide mount and a drawing-out groove in order to easy to install in a vehicle.

Conclusion

9. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vy whose telephone number is (571) 272-1954. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax numbers for the

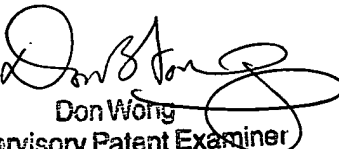
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organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 308-7722 for After Final communications.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either private Pair or Public Pair. Status information for unpublished applications is available through Private Pair only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy
Art Unit 2821.

November 29, 2004.


Don Wong
Supervisory Patent Examiner
Technology Center 2800